

3671

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Andreas Drost et al.

Serial No.: 10/633,663

Filed: August 5, 2003

Title: Ground Covering Elements of Artificial Stone Material

Attorney Docket No.: 411.0005

Group Art Unit: 3671

Examiner: Gary S. Hartmann

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**SECOND INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

- under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- under 37 CFR 1.97(c) together with either a:
  - Certification under 37 CFR 1.97(e), or
  - a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with a:
  - Certification under 37 CFR 1.97(e), and
  - a petition under 37 CFR 1.97(d)(2)(ii), and
  - a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

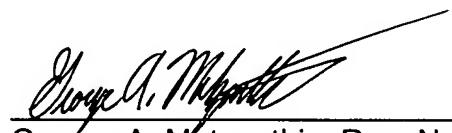
Applicants submit herewith Form PTO 1449-Information Disclosure Citation with copies, of non-US patents and published applications, publications or other information of which Applicants have become recently aware of, which Applicants believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. Also attached is a copy of the International Search Report for a corresponding PCT application.

Neither this statement nor the listing of these documents on the accompanying form PTO-1449 should be considered as an admission by Applicants that these materials are prior art as to Applicants. In addition, this statement should not be construed as a representation that no better disclosures exist.

Items AA and BB were cited in a corresponding PCT application, which led to Item K, and were listed on its International Search Report (a copy of which is attached). Items CC-HH were cited by the Examiner, but not applied, against Item K. Item II is the published PCT application of Item HH.

Entry of the Information Disclosure Statement and the accompanying Form PTO-1449 are respectfully solicited.

Respectfully submitted,



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Date: August 23, 2004

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

1

**Complete if Known**

Application Number	10/633,663
Filing Date	August 5, 2003
First Named Inventor	Andreas Drost
Art Unit	3671
Examiner Name	Gary S. Hartmann
Attorney Docket Number	411.0005

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
A	US-195,286		09-18-1877	INGALLS, Samuel S.	
B	US-1,058,674		04-08-1913	KERTES, John	
C	US-1,884,216		10-25-1932	PURDY, John F.	
D	US-2,060,746		11-10-1936	PORTER, Sidney C.	
E	US-5,224,792		07-06-1993	HAGENAH, Gerhard	
F	US-5,409,325		04-25-1995	WU, Ming-Hsin	
G	US-5,466,089		11-14-1995	JURIK, Dean	
H	US-5,503,498		04-02-1996	SCHEIWILLER, René	
I	US-5,797,698		08-25-1998	BARTH, Gunter et al.	
J	US-5,902,069		05-11-1999	BARTH, Gunter et al.	
K	US-2003/0121229 A1		07-03-2003	SCHMITZ, Michael	
	US-				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
AA	DE 295 10 837 U1		10-26-1995	E. Schwenk Zementwerke KG		
BB	EP 1 024 226 A1		12-29-1998	Feige & Bertoli GmbH & Co. KG		
CC	DE 197 33 741 A1		05-28-1998	LAHRES, Werner		
DD	EP 0 930 399 A2		01-13-1999	SCHEIWILLER, Rolf		
EE	WO 00/14335 A1		03-16-2000	DEGIRMENCI, Ahmet		
FF	WO 01/59217 A1		08-16-2001	SF-Kooperation GmbH Beton-Konzepte		
GG	DE 100 13 613 A1		10-11-2001	ROTH, Reiner		
HH	EP 1 162 313 A1		12-12-2001	Kahn GmbH Baustoffwerke		
II	WO 01/94703 A1		12-13-2001	Kahn GmbH Baustoffwerke		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant Claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(\$)** 180.00

**Complete if Known**

Application Number	10/633,663
Filing Date	8/5/2003
First Named Inventor	Drost et al.
Examiner Name	Gary S. Hartmann
Art Unit	3671
Attorney Docket No.	411.0005

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Other  None

Deposit Account

Deposit Account Number  
[Redacted]  
Deposit Account Name  
[Redacted]

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	
1001	770	2001	385
1002	340	2002	170
1003	530	2003	265
1004	770	2004	385
1005	160	2005	80
<b>SUBTOTAL (1) (\$)</b>			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	
1202	18	2202	9
1201	86	2201	43
1203	290	2203	145
1204	86	2204	43
1205	18	2205	9
<b>SUBTOTAL (2) (\$)</b>			

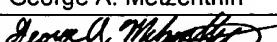
\*\* or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee (\$)	
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	420	2252	210
1253	950	2253	475
1254	1,480	2254	740
1255	2,010	2255	1,005
1401	330	2401	165
1402	330	2402	165
1403	290	2403	145
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,330	2453	665
1501	1,330	2501	665
1502	480	2502	240
1503	640	2503	320
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	770	2809	385
1810	770	2810	385
1801	770	2801	385
1802	900	1802	900
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
<b>SUBTOTAL (3) (\$)</b>			180.00

**SUBMITTED BY**

Complete if applicable

Name (Print/Type)	George A. Metzenthin	Registration No. (Attorney/Agent)	41,995	Telephone	202-331-8777
Signature				Date	8/23/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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